

FIRST REGULAR SESSION

SENATE BILL NO. 379

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LOUDON.

Read 1st time January 25, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1498S.02I

AN ACT

To amend chapter 103, RSMo, by adding thereto one new section relating to the offering of high deductible plans through the Missouri consolidated health care plan.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 103, RSMo, is amended by adding thereto one new section, to be known as section 103.080, to read as follows:

103.080. 1. As used in this section, the following terms shall mean:

(1) "Health savings account" or "account", shall have the same meaning ascribed to it as in 26 U.S.C. Section 223(d), as amended;

(2) "High deductible health plan", a policy or contract of health insurance or health care plan that meets the criteria established in 26 U.S.C. Section 223(c)(2), as amended, and any regulations promulgated thereunder.

2. Beginning with the open enrollment period for the 2009 plan year, the board shall offer to all qualified employees the option of receiving health care coverage through a high deductible health plan and the establishment of a health savings account. All health carriers participating in the Missouri consolidated health care plan shall offer high deductible health plans to qualified individuals in connection with health savings accounts. In order for a qualified individual to obtain a high deductible health plan through the Missouri consolidated health care plan, such individual shall present evidence, in a manner prescribed by regulation, to the board that he or she has established a health savings account in compliance with 26 U.S.C. Section 223, and any amendments and regulations promulgated thereto.

21 **3. The board is authorized to promulgate rules and regulations**
22 **for the administration and implementation of this section. Any rule or**
23 **portion of a rule, as that term is defined in section 536.010, RSMo, that**
24 **is created under the authority delegated in this section shall become**
25 **effective only if it complies with and is subject to all of the provisions**
26 **of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This**
27 **section and chapter 536, RSMo, are nonseverable and if any of the**
28 **powers vested with the general assembly pursuant to chapter 536,**
29 **RSMo, to review, to delay the effective date, or to disapprove and annul**
30 **a rule are subsequently held unconstitutional, then the grant of**
31 **rulemaking authority and any rule proposed or adopted after August**
32 **28, 2007, shall be invalid and void.**

✓

Bill

Copy